

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

December 13, 2012

Vice Chairman B. Larson called the meeting to order at 4:04 p.m. and roll was taken.

MEMBERS PRESENT: B. Larson, L. Spataro, L. Mikesell, B. Mazade, J. Doyle, S. Gawron,
T. Michalski, B. Smith, W. Parker

MEMBERS ABSENT: None

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: B. Dykstra, Urban Renaissance Group; R. Gustafson, Hooker DeJong;
J. Rooks, 5349 Lake Harbor Rd; V. Staffney

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of November 15, 2012 be approved, was made by B. Mazade, supported by B. Larson and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2012-23: Request to amend the Planned Unit Development at 372 Morris Street and approve the final plans for Phase 1, by Shoreline Market LLC. M. Franzak presented the staff report. This final PUD was approved at the June 14, 2012 Planning Commission meeting, with the condition that each phase of the project is brought back to the Planning Commission for a site plan review and PUD amendment. This review is for Phase 1 of the project, which consists of two buildings constructed of traditional materials and also some shipping container buildings. The Nextwork building, which fronts Morris Street, will be a mixed-use building constructed with traditional materials, consisting of retail uses on the first floor and office space on the remaining floors. The plan states that it may be a two- or three-story building. It would be 16,250 square feet total if three stories, and 12,500 square feet total if two stories. This building will have a front setback of 22 feet from the sidewalk. The Evans & Franks building to the west is set back 15 feet from the sidewalk, and the Social Security building to the east is set back 18 feet. Staff suggests that the setback of the new building be closer to 15 feet, since it will be located closer to the Evans & Franks building. The Fresh Market building will also be constructed with traditional materials. This building runs perpendicular to Morris Street and will offer space to retailers such as florists, butchers, bakers, etc. There will be entrances and facades on both the front and back portions of the building. The plan does not depict where the loading spaces will be for this building. The shipping containers will be located north of the Nextwork building. The plan calls for 15 shipping containers to be used for retail; they may be combined or used separately. There will also be an “Artisan Market” constructed from several shipping containers, which will offer space for artists. This will be located just west of the other containers and measures 2,650 square feet. Staff recommends that a condition of approval be that all changes made when developing the containers require either staff or Planning Commission approval, depending on how large of a change is proposed. There are two

curb cuts that will allow for ingress and egress to the property. The eastern curb cut will include a large “drive through” sign that intends to draw people to the area. Just to the west of the sign, there is a proposed open air pavilion that will serve as a gathering place. Phase 1 will mainly utilize the western curb cut for traffic and most customers would not drive through the sign. There are 61 proposed parking spaces for Phase 1. There are 42 spaces near the containers, including four proposed parking lot lights. There are 19 spaces east of the Fresh Market; however, there aren’t any proposed lights there. Staff recommends additional lighting east of the Fresh Market. There are 13 planter pots proposed for Phase 1; however, there aren’t any proposed east of the Fresh Market. Staff recommends planters along the building, since landscaping in the ground will not be allowed due to site contamination restrictions. Also, these planters are not shown in detail nor is information given on what will be planted in them. Staff recommends that additional information be submitted on the design of the pots and the type of plants. A mixture of trees and shrubs should be used. Also, the planters at the Social Security building look very dull with no stamping. Stamping and design elements should be incorporated in all planting pots. Signage is not depicted on this plan. However, given the uniqueness of the project, there may be requests for signage that are not allowed by the ordinance. The containers may require more than the permitted allotment of signage to be successful. Staff recommends that traditional signage requirements be met for the Nextwork and Fresh Market buildings, but that container signage be approved at staff’s discretion. The plans do not show any proposed trash receptacles. Staff recommends that all trash receptacles be shown with proper screening. The Fire Department lists the following conditions on approval: a) An amended site plan shall be supplied, identifying locations of all fire hydrants in the general area of the construction project, b) Fire flow water supply test shall be submitted to the Fire Marshall and fire protection person for fire sprinkler company, and c) Pavement shall have the capability of withstanding the weight of 76,000-pound fire apparatus. The Department of Public Works lists the following conditions of approval: a) This project will require a master meter, b) The water meter shall be placed in an approved vault or meter pit, and c) The meter pit/vault shall be located at the property line. The Nextwork building may be metered separately. The Planning Department has the following conditions of approval: a) Adequate parking lot lighting be placed east of the Fresh Market building, b) A separate landscaping plan be submitted depicting the design of the planters and types of landscaping to be used, c) The location and screening type of all trash receptacles must be shown, and d) Loading spaces must be shown for the Fresh Market and any other necessary locations.

T. Michalski arrived at 4:10 p.m.

B. Mazade asked about the requirement to allow inspections of the cap on the site, and if there had been any discussion on how that would be handled. M. Franzak stated that he had spoken to B. Dykstra about the issue. L. Spataro stated that he shared the concern about the placement/setbacks of the building proposed for Morris Street. B. Dykstra showed board members several renditions of the site and proposed buildings.

S. Gawron arrived at 4:14 p.m.

L. Mikesell arrived at 4:16 p.m.

B. Dykstra stated that they could change the front setback on the Morris Street building if necessary. He stated that Second Street was going to be the main entrance. The entrance on Morris Street would have steps and an awning. He further explained the different buildings on the site, and the planned tenants to date. He stated that, regarding the environmental cap, they were required to provide an annual maintenance agreement. B. Mazade asked that that an inspection be included as a condition of the site plan approval. B. Smith asked which buildings would be constructed first. B. Dykstra stated that they planned to do the container portion first. M. Franzak asked B. Dykstra

what the alternate plan was, if they were unable to secure financing for the Nextwork building. B. Dykstra discussed two options, but stated that he did not anticipate problems. He stated that they did not want the container buildings right on Morris Street, and that from a marketing standpoint, it was important that they have an attractive-looking development. He stated that they needed approval for this Phase I at this point; they were willing to return to the Planning Commission with a landscape plan in the future, if required.

A motion to close the public hearing was made by B. Larson, supported by L. Spataro and unanimously approved.

A motion that the request for an amendment to the PUD at 372 Morris St, per Section 2101 of the Zoning Ordinance, to approve the site plans for Phase 1 of the development, be approved subject to the conditions listed in the staff report, was made by B. Larson and supported by B. Smith. L. Spataro asked for clarification of the conditions regarding the environmental cap and the setback on Morris Street. Clarification was made that two signs would be allowed on the site, and that an annual inspection of the environmental cap would be allowed. M. Franzak also asked if the conditions mentioned could be approved by staff, or if it would require a return to the Planning Commission. Staff and board members discussed the setback issue. B. Larson and L. Spataro concurred that staff had a good sense of the Planning Commission's intention regarding the setback. B. Larson amended his motion to include that staff be allowed to approve the conditions, including the Morris Street setback. B. Smith concurred. A vote was taken on the motion, which was unanimously approved.

NEW BUSINESS

Case 2012-24: Request for a site plan review for a building addition at 200 Harvey Street by the Muskegon Area Intermediate School District. M. Franzak presented the staff report. The property is zoned RM-1, Low Density Multiple Family Residential District. The Muskegon Area Career Tech Center will be putting a 15,401 square foot addition onto the existing building, which is located on the northwestern end of the Muskegon Community College campus. There is not any addition parking proposed; however, staff feels that there will be adequate parking after the addition, as there are more than enough parking spaces at this point. The Fire Department places the following conditions on approval: a) Fire flow water supply testing shall be conducted and the results shall be sent to State of MI LAWA bureau of Fire Service and local Fire Marshall, and b) Hydrant requirements shall comply with IFC 2009 appendix B for amount required and placement locations; architects shall contact local Fire Marshall if they have any questions.

A motion that the site plan submitted for 200 Harvey Street be approved with the conditions listed in the staff report, was made by B. Mazade, supported by B. Larson and unanimously approved.

OLD BUSINESS

Sappi/Melching property – T. Michalski noted several audience members in attendance who had shown interest in the Sappi/ Melching property in the past. He stated that because the issue was now in litigation, the Planning Commission could not comment further. Several people still asked for clarification on what the status of the property was, and thanked Planning Commissioners for their involvement. T. Michalski stated that it was now up to the City's legal counsel to determine how to proceed.

OTHER

Zoning Ordinance update discussion – M. Franzak stated that he would like to begin updating the Zoning Ordinance soon, before the next Master Plan update. He stated that he planned to contact consultants regarding a request for proposals beginning in early 2013.

Jon Rooks project – J. Rooks introduced a new project he was planning for property he owned near the Shoreline Inn. He stated that he would be out of town for the January meeting, but would like to get some input from the board now rather than waiting until the February meeting. He stated that it would be a residential development of approximately 75 homes, aiming to bring more people into the downtown area. Terrace Point Landing LLC would be the entity involved in this development. He explained the concept he had in mind and some marketing ideas. He also provided examples of homes similar to what he envisioned for the sites. He envisioned a higher-density urban environment, and stated that he may request some flexibility in lot size and building height requirements through a Planned Unit Development (PUD). He asked board members if he would have to be at the January meeting to present his request for preliminary PUD approval, or if he could send a representative. Board members concurred that, with the information presented today, he could have a representative attend on his behalf for preliminary approval.

Wilcox lots – V. Staffney asked to address the Planning Commission regarding issues he has had in trying to develop lots he owned on Wilcox. He stated that the issue of off-street parking was holding up development of the sites. M. Franzak stated that, as far as he knew, parking was not the problem; it was fire protection. L. Spataro stated that there was no site plan to review, in order to determine exactly what the issues were. B. Larson suggested that Mr. Staffney contact his City Commissioner for assistance in facilitating discussions with City staff.

There being no further business, the meeting was adjourned at 5:46 p.m.